

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/003481

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61M16/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EP0-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 389 272 A (BRAIN ARCHIBALD IAN JEREMY) 26 September 1990 (1990-09-26) column 5, line 13 - column 8, line 24; figures 3,6	1-6, 8-13, 15-18, 20,21
A	W0 00/09189 A (BRAIN ARCHIBALD IAN JEREMY) 24 February 2000 (2000-02-24) page 10, line 25 - page 11, line 1 page 24, line 25 - page 25, line 1 page 32, line 2 - line 11 page 28, line 12 - line 23 ----- -/--	1,2,4-24

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

21 January 2005

Date of mailing of the international search report

15 02 2005

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00/30706 A (AUGUSTINE MEDICAL INC ; AUGUSTINE SCOTT D (US); ARNOLD RANDALL CHARLES) 2 June 2000 (2000-06-02) page 8, line 19 - page 11, line 7; figure 1	1-5,13, 17,18, 20-24
X	----- US 5 988 167 A (KAMEN JACK M) 23 November 1999 (1999-11-23) column 1, line 55, paragraph 2 - page 45; figure 2	1-5, 10-12, 17-24
A	----- US 2001/015207 A1 (PAGAN ERIC) 23 August 2001 (2001-08-23) paragraph [0017] - paragraph [0027]	1-5,10, 11,13, 17,18, 20,21
A	----- EP 0 911 049 A (SMITHS INDUSTRIES PLC) 28 April 1999 (1999-04-28) paragraph [0008] - paragraph [0012]	1-5,13, 17,18, 20,21
A	----- US 2002/010417 A1 (BERTRAM VOLKER) 24 January 2002 (2002-01-24) paragraph [0009]	1,2
A	----- US 3 734 100 A (BAZELL S ET AL) 22 May 1973 (1973-05-22) column 7, line 5 - line 27	1,2
A	----- EP 1 125 595 A (SMITHS GROUP PLC) 22 August 2001 (2001-08-22) paragraph [0011] - paragraph [0020]	26-32
A	----- US 5 391 248 A (BRAIN ARCHIBALD I J) 21 February 1995 (1995-02-21) column 7, line 30 - line 58	26-32
X,P, L	----- WO 2004/016308 A (NASIR MUHAMMED ASLAM) 26 February 2004 (2004-02-26) L: Priority page 10, line 8 - page 21, line 4	1-13, 17-24
X	& GB 2 393 399 A (NASIR MUHAMMED ASLAM) 31 March 2004 (2004-03-31) cited in the application -----	1-13, 17-24

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Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 25, 33
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

As a result of the prior review under R. 40.2(e) PCT,
no additional fees are to be refunded.

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☒ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-24, 25

an airway device, comprising:

- A) an airway tube
- B) a non-inflatable cuff at the distal end of A)
- and
- C) hardness of the cuff material

2. claims: 26-32, 33

a method of manufacturing an airway device, comprising:

- A) an airway tube
- B) a non-inflatable cuff at the distal end of A)
- by
- D) steps of moulding a liquid plastic material

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 25, 33

Claims 25 and 33 attempt to define their subject-matter in relation to other parts of the application, contrary to the requirements of Rule 6.2 PCT. As these claims do not contain any technical features, no meaningful search can be performed (Article 17(2)(a)(ii) PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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